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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/766,683	01/28/2004	Thomas C. Adams	SC 013 CIP 9	2087

7590

08/10/2006

Guy McClung
PMB 347
16690 Champion Forest Drive
Spring, TX 77379-7023

EXAMINER

KOCH, GEORGE R

ART UNIT	PAPER NUMBER
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1734

DATE MAILED: 08/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/766,683

Applicant(s)

ADAMS ET AL.

Examiner

George R. Koch III

Art Unit

1734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) 1-27 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/15/04; 10/14/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of group II, claims 28-33 in the reply filed on 5/22/2006 is acknowledged.

Information Disclosure Statement

2. The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609.04(a) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.
3. The foreign references and non-patent literature not considered were not filed in any application to which applicant is claiming priority and relying upon for an early filing date under 35 USC 120. See MPEP 609.04(a) II, partially reprinted in the footnote below.¹

¹ The relevant paragraph of MPEP 609.04(a) II.: There are exceptions to this requirement that a copy of the information must be provided. First, 37 CFR 1.98(d) states that a copy of any patent, publication, pending U.S. application, or other information listed in an information disclosure statement is not required to be provided if: *(A)< the information was previously cited by or submitted to, the Office in a prior application, **provided that the prior application is properly identified in the IDS and is relied on for an earlier filing date under 35 U.S.C. 120**; and *(B)< the IDS submitted in the earlier application complies with 37 CFR 1.98(a)-(c). If both of these conditions are met, the examiner will consider the information previously cited or submitted to the Office and considered by the Office in a prior application relied on under 35 U.S.C. 120. This exception to the requirement for copies of information does not apply to information which was cited in an international application under the Patent Cooperation Treaty. If the information cited or submitted in the prior application was not in English, a concise explanation of the relevance of the information to the new application is not required unless the relevance of the information differs from its relevance as explained in the prior application. See subsection III.** below.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. Claims 28-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rajala (US 5,643,396) and Heindel (US 5,342,647).

Rajala discloses a machine making various laminates and therefore capable of making a screen combination for a screen assembly for a vibratory separator, the machine comprising powered mechanical glue application means for applying glue to at least one layer of screening material (glue applicator 108, web 106), means for combining the at least one layer of screening material with a second layer of screening material to form a screen combination (nip 144, formed by rollers 110 and 102, additional webs 112 and 100), means for moving the screen combination apart from the powered moving mechanical glue application means (various drive mechanisms described, for example, in column 16, including but not limited to elements as machine

Art Unit: 1734

drive shaft 140 and drive belt 142), and means for cutting part of the screen combination from the screen combination (cutter roll 174, see column 53 and figure 49).

Rajala does not disclose that said powered mechanical glue application means is capable of moving or that these means further include at least one glue dispensing manifold with a plurality of spaced-apart glue dispensing nozzles positionable above the at least one layer of screening material to apply a glue pattern on the at least one layer of screening material.

However, Heindel discloses powered mechanical glue application means is capable of moving or that these means further include at least one glue dispensing manifold with a plurality of spaced-apart glue dispensing nozzles positionable above the at least one layer of screening material to apply a glue pattern on the at least one layer of screening material. Heindel discloses that moving application means avoid unbonded gaps in the glue lines, improving strength and integrity (see the discussion of the defects in the prior art, column 1, lines 17-28, and column 4, lines 2-16). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have used moving applicators as in Heindel in order to improve bond strength and integrity in the final product.

As to claim 29, Rajala discloses that means for moving the screen combination is dual opposed driven rollers between which the screen combination passes (rollers 102 and 110).

With respect to claims 30-32, official notice is taken that using dual opposed driven rollers comprising a first roller and a second roller, the first roller drive by a first

Art Unit: 1734

drive motor, clutch apparatus interposed between the first roller and the first drive motor, control apparatus for controlling rate of rotation of both the first roller and the second roller and for controlling the clutch apparatus, sensor apparatus for sensing rate of rotation of the second roller, the sensor apparatus in communication with the control apparatus, the control apparatus also for maintaining rate of rotation of the first roller and of the second roller substantially the same, or including a control apparatus for controlling the machine or that each of the dual opposed driven rollers has its own dedicated drive motor is well known and conventional. One in the art would appreciate that such motor control systems ensure that the rollers drive the laminate into the nip. . Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have used such motor control systems in order to ensure proper driving of the laminate.

7. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rajala and Heindel as applied to claim 29 above, and further in view of Sabee (US Patent 4,968,313).

The references applied to claim 29 above do not disclose that at least one of the dual opposed driven rollers is substantially covered with material for inhibiting glue from sticking to said roller.

However, the use of various non-stick materials in laminating operations is notoriously well known and conventional. Sabee discloses an apparatus similar to that of Rajala and Heindel, which is considered capable of manufacturing the claimed

Art Unit: 1734


product. Sabee utilizes a non-stick coating of Teflon to the nip rolls. The motivation is clearly apparent to one of ordinary skill in the art. A non-stick coating would prevent the adhesive material from sticking the web or other substances to the rollers and disrupting the operation. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have used non-stick materials in order to prevent disruptions in the manufacturing process.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George R. Koch III whose telephone number is (571) 272-1230. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Fiorilla can be reached on (571) 272-1187. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1734

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


George R. Koch III
Primary Examiner
Art Unit 1734

GRK
8/1/06